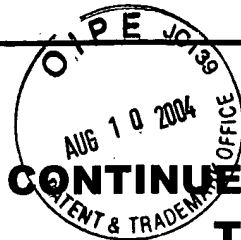


RCE / 1647 / \$

**REQUEST****FOR****CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/909,122
Filing Date	July 19, 2001
Confirmation Number	1024
First Named Inventor	Darrell H. Carney
Group Art Unit	1647
Examiner Name	DeBerry, R.M.
Attorney Docket Number	3033.1002-001

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [].
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [].
- iii. ☒ Other -- Supplemental Information Disclosure Statement (IDS) previously filed on June 14, 2004.

b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [].c. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Petition for Extension of Time - [] month(s) with copy
- v. ☒ Other -- Terminal Disclaimer.

08/11/2004 SSITHIB1 00000097 080380 09909122
02 FC:1801 770.00 DA

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other -- [].

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a. ☐ A check is enclosed for the following fees in the total amount of \$[]
OR

☒ Authorization is granted to charge the following fees in the total amount of \$880.00 to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Amendment Fee
- iv. ☒ Other -- Terminal Disclaimer fee under 37 CFR 1.20(d).
- b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Steven G. Davis	Registration No. (Attorney/Agent)	39,652
Signature		Date	August 9 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile-transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)		Date	
Signature		Date	



HAND DELIVERED
PATENT APPLICATION
Attorney's Docket No.: 3033.1002-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Darrell H. Carney, Roger S. Crowther, David J. Simmons, Jinping Yang and William R. Redin

Application No.: 09/909,122 Group Art Unit: 1647

Filed: July 19, 2001 Examiner: DeBerry, R.M.

Confirmation No.: 1024

For: STIMULATION OF BONE GROWTH WITH THROMBIN PEPTIDE DERIVATIVES

HAND DELIVERED

AMENDMENT UNDER 37 C.F.R. § 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment under 37 C.F.R. § 1.114 is being filed concurrently with a Request for Continued Examination (RCE). This Amendment is submitted in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on May 19, 2004 (Paper No. 20040504) and pursuant to the interview with Examiner DeBerry and Examiner Kemmerer on August 2, 2004 in regard to the above-referenced patent application. The Request for Continued Examination is being filed in lieu of a Notice of Appeal.

Applicants thank Examiner DeBerry and Examiner Kemmerer for their time and suggestions in regard to the referenced application.

Please amend the application as follows.